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PTO SB 01A (10-00)

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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 09/981,305, filed on October 15, 2001,
☐ as amended on _____ (if applicable):

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought:

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above:

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Patricia S.M. Chong

Signature: *Patricia S.M. Chong*

Citizen of: Canada

Inventor two: _____

Signature: _____

Citizen of: _____

Inventor three: _____

Signature: _____

Citizen of: _____

Inventor four: _____

Signature: _____

Citizen of: _____

☐ Additional inventors are being named on _____ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file and the PTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. EX: NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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EXPRESS MAIL NO. EL897874142US

PTO SB 61-10-00

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ELECTION AND POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	09/981.305
Filing Date	October 15, 2001
First Named Inventor	Patricia S.M. Chong
Group Art Unit	
Examiner Name	
Attorney Docket Number	130109.437

I hereby appoint:

☒ Practitioners at Customer Number

OR

☐ Practitioner(s) named below:

00500

PATENT TRADEMARK OFFICE

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ As assignee of record of the entire interest hereby elect, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor

SIGNATURE of Applicant or Assignee of Record

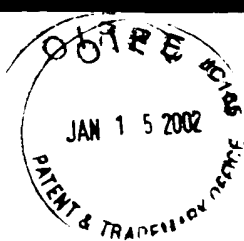
Name	Noordin S. K. Nanji - Corporate Secretary
Signature	
Date	December 20, 2001
Name	David Smith - Vice President, Controller
Signature	
Date	December 20, 2001

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of _____ forms are submitted.

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PTO/SB/96 (08-00)

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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Patricia S.M. Chong

Application No./Patent No.: 09/981,305 Filed/Issue Date: October 15, 2001

Entitled: **APPARATUS FOR THE SELECTIVE OXIDATION OF CARBON MONOXIDE IN A HYDROGEN-CONTAINING GAS MIXTURE**

Ballard Generation Systems Inc.

(Name of Assignee)

a

Corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above.
The assignment was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the
current assignee as shown below:

1. From:

To:

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

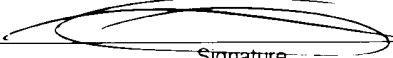
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

December 20, 2001

Date

Noordin S.K. Nanji

Typed or printed name


Signature

Corporate Secretary

Title

December 20, 2001

Date

David Smith

Typed or printed name


Signature

Vice President, Controller

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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ASSIGNMENT

WHEREAS, I, Patricia S.M. Chong (hereinafter referred to as ASSIGNOR), having a mailing address of #2106-6837 Station Hill Drive, Burnaby, British Columbia, Canada V3N 5B7, am the sole inventor of an invention entitled "APPARATUS FOR THE SELECTIVE OXIDATION OF CARBON MONOXIDE IN A HYDROGEN-CONTAINING GAS MIXTURE," as described and claimed in the specification for which an application for United States letters patent was filed on October 15, 2001, and assigned Application No. 09/981,305.

WHEREAS, Ballard Generation Systems Inc. (hereinafter referred to as ASSIGNEE), a Canadian corporation having a place of business at Unit C, 4242 Phillips Avenue, Burnaby, British Columbia, Canada V5A 2X2, is desirous of acquiring the entire right, title and interest in and to said invention, this application, and any Letters Patent that may be granted therefor in the United States and in any and all foreign countries:

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR had this assignment, transfer and sale not been made. ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNOR agrees to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters

patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

December 19, 2001.
Date

Patricia S.M. Chong
Patricia S.M. Chong

City of Burnaby)
)
Province of British Columbia)

ss.

I certify that I know or have satisfactory evidence that Patricia S.M. Chong is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated 19 December 2001

Signature of
Notary Public T. J. Rothe

Printed Name TANYA J. ROTHE

My appointment is for life